

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DEUTSCHE BANK TRUST COMPANY
AMERICAS, in its capacity as successor
indenture trustee for certain series of Senior
Notes, *et al.*,

Plaintiffs,

v.

SOWOOD ALPHA FUND LP, *et al.*,

Defendants.

C.A. No. 11-618 GMS

**STIPULATION AND PROPOSED ORDER TO
EXTEND TIME TO RESPOND TO MOTION TO DISMISS**

WHEREAS, on September 13, 2011, defendant Janney Montgomery Scott LLC (“JMS”) filed a motion to dismiss the complaint against it (the “Motion,” D.I. 52) and opening brief in support thereof (D.I. 53); and

WHEREAS Plaintiffs requested, and JMS agreed to, an extension of the deadline for Plaintiffs to file an answering brief, which the Court approved (D.I. 66);

WHEREAS Plaintiffs requested, and JMS agreed to, a further extension of the deadline for Plaintiffs to file an answering brief so that the parties may discuss consensually resolving the motion;

NOW, THEREFORE, it is hereby STIPULATED AND AGREED, subject to the approval of the Court, as follows:

1. Plaintiffs’ answering brief in opposition to the Motion shall be filed on or before October 21, 2011; and
2. JMS’ reply brief in further support of the Motion shall be filed on or before November 11, 2011.

ASHBY & GEDDES

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Attorneys for Plaintiffs

Dated: October 13, 2011

It is **SO ORDERED**.

Dated: _____, 2011

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Gregory M. Sleet
Chief United States District Judge